

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

| | | |
|-----------------------|---|-----------------------|
| SMILEDIRECTCLUB, LLC, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | C.A. No. 20-583 (CFC) |
| |) | |
| CANDID CARE CO., |) | |
| |) | |
| Defendant. |) | |

**DEFENDANT CANDID CARE CO.'S MOTION TO DISMISS
PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 12(b)(6)**

Pursuant to Federal Rule of Civil Procedure 12(b)(6), Defendant Candid Care Co. (“Defendant” or “Candid”) moves to dismiss Plaintiff SmileDirectClub, LLC’s (“Plaintiff” or “SDC”) Complaint for failure to state a claim upon which relief can be granted.

The grounds for this Motion are more fully set forth in Defendant Candid Care Co.’s Opening Brief in Support of Its Motion to Dismiss Pursuant to Federal Rule of Civil Procedure 12(b)(6), filed contemporaneously herewith and incorporated by reference.

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June 19, 2020

CERTIFICATE OF SERVICE

I hereby certify that on June 19, 2020, I caused the foregoing to be electronically filed with the Clerk of the Court using CM/ECF, which will send notification of such filing to all registered participants.

I further certify that I caused copies of the foregoing document to be served on June 19, 2020, upon the following in the manner indicated:

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